

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
The Use of N11 Codes and Other Abbreviated	)	
Dialing Arrangements	)	CC Docket No. 92-105
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**INITIAL COMMENTS OF THE WEST VIRGINIA 211 COLLABORATIVE**

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Pursuant to Section 1.4(b)(2) of the Federal Communications Commission's ("FCC" or "Commission") Rules, 47 C.F.R § 1.4(b)(2), the West Virginia 211 Collaborative (the "WV211 Collaborative")<sup>1</sup> submits these comments in response to the Commission's May 7, 2007 Public Notice requesting comment on the status of 211 and 511 implementation to determine: (1) whether the 211 and 511 dialing codes are being utilized in the manner for which they were assigned; and (2) what the Commission can do to facilitate more widespread use if these codes are not widely used.<sup>2</sup> The WV211 Collaborative's comments are focused exclusively on the status of 211. The WV211 Collaborative believes that 211 is being widely used – and more importantly, effectively used – in the manner for which it was assigned. Given 211's widespread use and benefits, the WV211 Collaborative believes that the Commission should maintain this abbreviated dialing code for community information and referral ("I&R") services, as adopted in its 2000 order.<sup>3</sup> The WV211 Collaborative's comments are limited exclusively to 211 and the WV211 Collaborative offers no opinion regarding retaining the 511 dialing code.

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<sup>1</sup> The West Virginia 211 Collaborative is a body formed by Mountain Airs, Inc. to oversee the establishment and operation of the statewide 211 provider in West Virginia. Mountain Airs, Inc. is a corporation formed pursuant to Section 501(c)(3) of the Internal Revenue Code. The Consumer Advocate Division of the West Virginia Public Service Commission's ("CAD") counsel serves on the WV211 Collaborative as a legal advisor, and previously represented CAD in proceedings related to the issuance of rules by the Commission establishing a statewide 211 system for the State of West Virginia. See "Commission Order," *I/M/O a Proceeding for the Adoption of Rules Implementing and Governing the West Virginia 211 Information and Referral System*, General Order No. 187.25 (Dec. 11, 2003). In addition, CAD's counsel chaired the task force whose efforts led to the issuance of the West Virginia Public Service Commission's ("WVPSC") order recommending to the Legislature that a statewide 211 program be created. See *GI Re: the Feasibility of Implementing 211 Throughout the State of West Virginia*, Case No. 01-0689-T-GI, Commission Order, Attachment A (June 26, 2002).

<sup>2</sup> See *In re: The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, Public Notice, 2007 FCC LEXIS 3700 (May 7, 2007).

<sup>3</sup> *In re: Petition by the United States Department of Transportation for Assignment of an Abbreviated Dialing Code (N11) to Access Intelligent Transportation System (ITS) Services Nationwide; Request by the Alliance of Information and Referral Systems, United Way of America, United Way 211 (Atlanta, Georgia), United Way of Connecticut, Florida Alliance of Information and Referral Services, Inc., and Texas I&R Network for Assignment of 211 Dialing Code; The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, Third Report and Order and Order on Reconsideration, 15 F.C.C.R. 16753 (2000) ("*N11 3rd R&O*").

## **I. THE NEED FOR 211 HAS NOT CHANGED.**

In the *N11 3rd R&O*, the Commission assigned the last two available N11 codes (*i.e.*, 211 and 511) for use to provide for nationwide access to, respectively: (1) community information and referral services; and (2) travel information services. Both designations, the Commission concluded, were in the public interest. *See* 15 F.C.C.R. 16759 ¶10 (511); *see also id.* at 16764 ¶18. In support of its decision regarding 211, the Commission cited the vital importance of the dialing code to individuals, families and communities in need, noting:

*Individuals facing serious threats to life, health, and mental well being have urgent and critical human needs that are not addressed by dialing 911 for emergency assistance or 311 for non-emergency police assistance. For example, the Information and Referral Petitioners present a call summary prepared by United Way 211 (based in Atlanta) for the year 1997, which indicates that seven percent of the calls to United Way 211 involved immediate shelter needs, 20 percent involved rental/mortgage assistance needs (for example, threatened eviction), 16 percent involved utility issues, critical in inclement weather, and nine percent involved the need for food. The remaining calls presented issues relating to counseling, medical aid, prescription assistance, physical and sexual abuse, and potential suicide. Other less urgent situations, also not addressed by 911 service or the current 311 service, might involve persons needing child care solutions, aging and hospice services, adolescent activities, educational programs, support groups, legal assistance, child and spousal abuse counseling, substance abuse programs, and other needs vital to the welfare of individuals, families, and communities.*

15 F.C.C.R. 16764 ¶18 (emphasis added).

The Commission also cited the lack of viable alternatives to 211 as a basis for designating the dialing code for use to provide access to community I&R services. For example, the Commission noted that relying on toll-free telephone numbers to provide access to such services would inevitably result in confusion and an increased margin for dialing error, both of which created obstacles to use of community I&R services, particularly in urgent situations. 15 F.C.C.R. at 16764 ¶19. Likewise, the Commission noted that such confusion was not resolved by using directory assistance for toll-free numbers because that service lists entries by name but

not service or need category. *Id.* at 16765 ¶19. The Commission further concluded that local numbers were not viable alternatives to 211 because they are difficult to distinguish from the myriad of other local businesses and community services numbers and may not be of service to travelers and persons who had recently relocated to the community, but who often need temporary assistance. *Id.* Finally, the Commission observed that the availability of an abbreviated dialing code benefited persons with mental or physical limitations.

The need for 211, as demonstrated by the foregoing considerations, has not lessened since 2000 – indeed economic and other data suggests that, if anything, the need for 211 has grown in the intervening seven years. This is certainly the case in West Virginia.

According to U.S. Census Bureau data, the median household income in West Virginia in 2005 was \$33,432. West Virginia ranks 50th in the nation in this category, and the State’s median household income is over 23% lower than the national median household income of \$46,242. Likewise, when compared to other States, West Virginia has a high poverty rate, with 14% of the State’s population below the 1999 poverty level. West Virginia’s poverty rate, in other words, is nearly 38% higher than the national rate of 10.2%.<sup>4</sup> West Virginia families’ lack of financial resources impacts their ability to meet basic needs and increases their reliance on the network of social service agencies that help provide financial assistance, child care, medical and dental care, and more.

The WV211 Collaborative’s experience certainly bears out this data. Since it began operations in November 2004, the State’s 211 center has handled roughly 147,000 calls to 211. That works out to roughly 4,900 calls to 211 per month, or a little over 163 calls daily.

Anecdotally, local I&R centers, to whom 211 calls are routed (or “patched”) by the State’s call center during regular business hours on weekdays, have advised the WV211

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<sup>4</sup> See [http://factfinder.census.gov/home/saff/main.html?\\_lang=en](http://factfinder.census.gov/home/saff/main.html?_lang=en).

Collaborative that 211 has increased their ability to serve the community and link people with the services they need – services whose availability is often completely unknown to persons who need them.<sup>5</sup> For example, since it began operating in July 2006, the regional I&R center for West Virginia’s Eastern Panhandle has analyzed the 211 calls sent to it and determined that the most common calls are for financial assistance, food, clothing, utilities, and shelter. This data is being used to help the community identify and address potential gaps and overlaps in services, increase coordination among programs and ultimately ensure the most efficient use of community resources.<sup>6</sup>

Experience shows that the State’s 211 system can also serve a vital role in the times of natural disasters, homeland security threats, and disease outbreaks, such as the avian “bird” flu or E-coli outbreaks.<sup>7</sup> During a disaster, 211 provides an essential service of connecting people, particularly the special needs population, to the health and human services they need. The availability of 211 also lessens the demand on 911 systems during a disaster, allowing 911 centers to focus on immediately life-threatening emergencies..

Nor have the shortcomings of the options for 211 considered by the Commission in 2000 been eliminated. Toll-free numbers, directory assistance and local telephone numbers remain unsatisfactory alternatives to the ease of use and access to community I&R services provided by the 211 dialing code. The Commission did not consider the availability of community I&R services via the Internet in its 2000 order, but despite its growth since 2000, the Internet does not

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<sup>5</sup> See Nancy Mayle, United Way of Central West Virginia, Letter of Support for WV211 (June 5, 2007) (copy attached).

<sup>6</sup> See Susan B. Walter, Shenandoah Valley Medical System, Inc., Letter of Support for WV211 (May 29, 2007) (copy attached).

<sup>7</sup> See “Local WV 211 Resource Coordinator Spends 3 Weeks Assisting Hurricane Victims,” United Way of Marion County Press Release (Oct. 2005) (copy attached).

provide a viable alternative to 211 either. It goes without saying that many of the at-risk persons who need community I&R services are unlikely to have broadband, or even dial-up, wireline or wireless access to the Internet, let alone computers or handsets capable of accessing information available on the Internet.

In short, the public benefits that justified designation of 211 as an abbreviated dialing code providing access to community I&R services justify its retention for that purpose.

**II. 211 IS BEING DEPLOYED ON A WIDESPREAD BASIS AND ITS CONTINUED, EXCLUSIVE DESIGNATION FOR ACCESS TO COMMUNITY I&R SERVICES SHOULD BE MAINTAINED.**

When the Commission issued the *N11 3rd R&O* in 2000, the use of 211 as an abbreviated dialing code to provide access to community I&R services was very limited, with 211 in use only in Atlanta, Georgia and parts of Connecticut. 15 F.C.C.R. at 16766 ¶21. The Commission, however, clearly anticipated that the deployment of 211 would spread with its designation for use as an abbreviated dialing code. However, to ensure that one of the Nation's scarce N11 codes was not being misallocated, the Commission reasonably concluded that it should reexamine 211's deployment after five years in order "to determine whether this resource is being utilized in the manner and to the extent anticipated by the Information and Referral Petitioners." *Id.* at 16767. Accordingly, the Commission made it clear that, "if 211 is not being used on a widespread basis for access to community [I&R] services, we may consider designating the 211 code for other uses, or removing the exclusive assignment for" such access. *Id.*

**A. 211 IS BEING DEPLOYED ON A WIDESPREAD BASIS.**

As anticipated by the *N11 3rd R&O*, 211 is being provided on a widespread basis. By February 2007, 211 was serving approximately 196 million Americans – over 65% of the U.S.

population. A total of 212 systems in 41 states, the District of Columbia and Puerto Rico actively provide 211 access to I&R services. In addition, five locations in Canada provide 211 service for needy families.<sup>8</sup>

With regard to West Virginia, statewide 211 service became operational in November 2004 and is provided through a partnership between the WV211 Collaborative, the State's 211 call center operator, and a network of local and regional 211 partnering agencies. Needy families and individuals in all 55 of West Virginia's counties now have easy access to charitable and social services in their local community.

#### **B. THE WV211 COLLABORATIVE'S EXPERIENCE IS INSTRUCTIVE.**

West Virginia has been a pioneer in the deployment of 211 and the WV211 Collaborative is justifiably proud of its role in introducing and deploying 211 service throughout the State in an efficient, cost-effective and reliable manner. The 211 model adopted in West Virginia has served as an example for many other States and communities that have introduced, are considering introducing, 211 to their citizens.

In October 2000, shortly after the Commission issued its *N11 3rd R&O*, the WV211 Collaborative was formed and began lobbying the West Virginia Legislature to establish a statewide 211 system. In March 18, 2001, the West Virginia Legislature enacted House Concurrent Resolution 18: (1) designating 211 as the dialing code for accessing community I&R services throughout the State; (2) and directing the West Virginia Public Service Commission ("WVPSC") to study the feasibility, and costs, associated with implementing 211 in the State, in partnership with the WV211 Collaborative, local wire and wireless telephone companies and 911 services; and (3) directing the WVPSC to present a report to the Legislature by July 1, 2002 regarding progress made toward so designating 211 throughout the State. HCR 18, available at:

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<sup>8</sup> See <http://www.211.org/status.html>.

On June 6, 2001, the WVPSC opened a general investigation into the feasibility of implementing 211 in West Virginia, created a task force comprised of representatives from local exchange and wireless carriers, the WV211 Collaborative, public service answering points, and the WVPSC's staff and Consumer Advocate Division, to study issues related to 211.<sup>9</sup> The WVPSC approved the task force's report and recommendations and forwarded its order and the task force's report to the Legislature on June 26, 2002.

In response to the WVPSC's order and task force report, the West Virginia Legislature enacted Senate Bill No. 436 ("SB 436"),<sup>10</sup> directing the WVPSC to implement 211 in accordance with the task force's recommendations and authorizing the agency to promulgate regulations to that end. The Commission established another task force that included most of the members of the earlier 211 task force to draft proposed regulations.<sup>11</sup> Proposed regulations, together with a report detailing task force members' recommendations, were filed with the WVPSC on September 23, 2003, and the WVPSC adopted final regulations governing the State's 211 system, effective December 31, 2003.<sup>12</sup> The rules adopted by the Commission were subsequently approved, with minor modifications, by the West Virginia Legislature. Among other things, the rules establishing the West Virginia 211 system provide for the following:

- A single statewide 211 call center providing access to community I&R services on a 24/7/365 basis, to which all carriers in the State rout 211 calls via a toll-free, 8XX number;
- Calls to the 211 center generally to be free of charge, though wireless

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<sup>9</sup> See *GI re: General Investigation into the Feasibility of Implementing 211 as the Three Digit Telephone Access Number for Community Information and Referral Services Throughout the State of West Virginia*, Case No. 01-0689-T-GI, Commission Order (WV P.S.C., June 19, 2001).

<sup>10</sup> Codified at *W. Va. Code* §24-8-2.

<sup>11</sup> See General Order No. 187.25, Commission Order (W. Va. P.S.C., June 2, 2003).

<sup>12</sup> See General Order No. 187.25, Commission Order (W.Va. P.S.C., Dec. 11, 2003). The WVPSC's 211 rules are codified at W. Va. C.S.R. §150-29-1 *et seq.*; available at <http://www.wvsos.com/csr/verify.asp?TitleSeries=150-29>.



carriers may elect to charge users for access to the center;

- Initial capital and non-recurring costs associated with implementing network modifications to allow access to the statewide 211 system generally absorbed by participating carriers;
- The WV211 Collaborative to provide oversight over the State 211 system's operation and to ensure that the operator of the State's 211 call center adheres to national standards regarding I&R operations;
- Further oversight by the WVPSC over disputes involving the operation of the State 211 system; and
- Creation of an electronic database of electronic database of all community-based social and other services providers within the state, updated by local I&R service providers at least semi-annually.

Once the WVPSC's 211 rules were adopted, the WV211 Collaborative began putting the State's 211 system into operation. In April 2004, the WV211 Collaborative solicited proposals to operate the State's 211 call center and, in August 2004, selected A.V. Lauttamus Communications. The State 211 call center began operating, on a 24/7/365 basis, on November 1, 2004. In addition, the WV211 Collaborative established formal partnership arrangements with local I&R service providers for developing and maintaining an accurate, up-to-date database of local social and community services providers throughout the State.

As previously noted, the State's 211 call center has handled over 147,000 calls since it began operations in November 2004.<sup>13</sup> In a State with a population of only 1.8 million, this represents a substantial volume of calls for assistance.

Moreover, the creation of a statewide 211 system in West Virginia has yielded unexpected benefits too. In the true sense of "if you build it, they will come," the establishment of a statewide 211 call center and database has led to the creation of local I&R service providers in communities and counties where such agencies did not previously exist. Those local I&R

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<sup>13</sup> See *supra* at 4.

service providers, in turn, established relationships with local social and community services resources that were often overlooked or unknown and are now in the State's 211 database. Moreover, with free and easily-accessed statewide 211 service now available, local governments and charities have begun providing badly-needed social and community services where none previously existed.<sup>14</sup>

West Virginia's 211 system has been a remarkable success in a State that often ranks near the bottom of the nation in terms of income, employment, education and health. The system has garnered praise both within, and without, the State. The Commission should continue 211's designation as an abbreviated dialing code to provide easy access to community resources that otherwise would be lacking.

**C. THE 211 DIALING CODE SHOULD REMAIN EXCLUSIVELY FOR ACCESS TO COMMUNITY I&R SERVICES.**

In light of the widespread use of 211 by State governments and other entities, the critical need for the types of I&R services accessed via 211, and the need to keep dialing codes simple, universally available and easily remembered, the WV211 Collaborative urges the Commission to leave 211 exclusively for use to provide access to community I&R services. The WV211 Collaborative is unaware of any other, higher or more beneficial use of 211 being proposed. Accordingly, 211 should remain exclusively available for providing access to community I&R services.

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<sup>14</sup> See *supra* at 5 n. 5-6.

### **III. CONCLUSION.**

The WV211 Collaborative urges the Commission to issue an order concluding this proceeding in accordance with its arguments and recommendations.

Respectfully submitted,

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